



County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

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First District

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Second District

ZEV YAROSLAVSKY
Third District

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Fifth District

September 16, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Superior Court Ruling on State Mandated Programs

On September 15, 2004, the State Department of Finance (DOF) announced that the State would not appeal a recent Superior Court ruling in favor of San Diego County's claim that the State's failure to fund certain State mandated special education services (AB 3632 and AB 2726) is unconstitutional. The Court agreed and declared that, absent adequate funding by the State, San Diego County could stop providing these treatment programs for severely mentally ill and emotionally disturbed students. On August 10, 2004, the Board of Supervisors directed County Counsel to file an amicus brief in support of San Diego County in the event of an appeal.

The San Diego County Board of Supervisors has voted to discontinue the programs after November unless the State provides full funding or local school districts make up the difference. In announcing the decision not to appeal, a representative of DOF maintained that SB 1895 (Burton), which directs the allocation of \$100 million included in the FY 2004-05 State Budget for special education programs, will provide adequate funding. However, the \$100 million falls short of the \$130 million estimated Statewide cost of the AB 3632 program alone.

Status of County Interest Legislation

County-supported AB 340 (Frommer), which will make it illegal to sell, offer for sale, buy, possess manufacture or distribute Mobile Infrared Transmitters, a device capable of sending a signal that interrupts or changes the sequence of a traffic signal, was signed by the Governor on August 30, 2004 and becomes effective on January 1, 2005.

County-supported AB 1432 (Firebaugh), which will eliminate provisions of California law barring California prosecution based on foreign convictions or acquittals, and provides credit for actual time served in a foreign country for the same crime, was signed by the Governor on September 14, 2004 and becomes effective January 1, 2005.

County-supported AB 1466 (Koretz), which would have authorized State agencies to adopt "Don't Trash California" and the equivalent Spanish phrase, as their state unified litter prevention and recycling message, was vetoed by the Governor on August 27, 2004.

County-supported SB 1085 (Murray), which will prohibit the unauthorized possession, distribution, and use of Mobile Infrared Transmitters, a device capable of sending a signal that interrupts the sequence of a traffic signal, was signed by the Governor on September 9, 2004 and will become effective on January 1, 2005.

County-supported SB 1375 (Scott), which will authorize the California Transportation Commission to relinquish a portion of State Highway Route 164 (Rosemead Boulevard) to the County of Los Angeles, was signed by the Governor on September 9, 2004 and will become effective on January 1, 2005.

County-supported AB 1663 (Dutra), which will extend the sunset date to January 1, 2010 for the current \$1 fee assessment on each vehicle registered with the County to finance the Taskforce for Regional Autotheft Prevention program, and require each county to issue a fiscal year-end report to the Controller who will determine if fee revenues are being used in a manner consistent with the bill, was signed by the Governor on September 14, 2004 and will become effective on January 1, 2005.

County-supported SB 1677 (Knight), which amends the Los Angeles County Flood Control Act to allow the Flood Control District to accept the transfer of a storm drain improvement or drainage system from a city or a private party without action by the Board of Supervisors, was signed by the Governor on August 23, 2004 and will become effective on January 1, 2005.

County-supported SB 1895 (Burton), which specifies how the \$100 million included in the FY 2004-05 State Budget for AB 3632 mental health services provided to students with special needs will be allocated, was signed by the Governor on September 13, 2004, and is effective immediately.

We will continue to keep you advised.

DEJ:GK
MAL:JF:ib

c: Executive Officer, Board of Supervisors
County Counsel